United Nations A/56/PV.96

General Assembly
Fifty-sixth session

Official Records

96th plenary meeting
Wednesday, 13 March 20002, 10 a.m.
New York

President: Mr. Han Seung-soo ..... (Republic of Korea)

The meeting was called to order at 10.15 a.m.

Agenda item 37

The role of diamonds in fuelling conflict

Letters from South Africa transmitting the report on the Kimberly Process (A/56/502, A/56/675 and A/56/775)

Draft resolution (A/56/L.72)

The President: I call on the representative of South Africa to introduce draft resolution A/56/L.72.

Mr. Kumalo (South Africa): Allow me from the outset to express my country's gratitude to you, Sir, and to thank you for scheduling this plenary meeting of the General Assembly to consider agenda item 37, entitled "The role of diamonds in fuelling conflict".

The provisions of General Assembly resolution 55/56 of 1 December 2000 mandated this body to remain seized of the matter related to the curtailment of conflict diamonds. The proceeds of the sale of these diamonds fuel armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons. The negative humanitarian consequences of such criminal acts are well known.

Efforts to curtail the trade in conflict diamonds became an international responsibility when the General Assembly unanimously adopted resolution 55/56. We hope that the General Assembly today, as it did last year, will adopt by acclamation the draft resolution, which requires us to remain seized of this matter. I am pleased to say that, in addition to all the countries listed on the draft resolution as sponsors, a number of other countries have joined as co-sponsors since its publication: Brazil, China, Colombia, France, Guinea, India, Israel, Luxembourg, Madagascar, Romania, Slovenia, Ukraine, the United Republic of Tanzania and the United States of America.

Last year, the General Assembly encouraged the Kimberley Process to move ahead and to develop a detailed proposal for a simple and workable international certification scheme for rough diamonds based on national certification schemes. The purpose of this scheme is to break the link between the illicit transaction in rough diamonds and armed conflict as a contribution to the prevention and settlement of conflicts. Since the last session of the General Assembly, the Kimberley Process has issued an interim report and a full report and its addendum on progress made. These are contained in documents A/56/502, dated 24 October 2001; A/56/675, dated 4 December 2001; and A/56/775, dated 17 January 2002.

The Kimberley Process has to date made great progress towards creating an international certification scheme for rough diamonds. This is acknowledged in the draft resolution before the Assembly. A few critical elements of the scheme remain outstanding. More meetings of the Kimberley Process will be held this year, starting with one that is scheduled to take place in Canada from 18 to 20 March 2002 in order to finalize

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

02-28422 (E)

these issues. The draft resolution encourages Kimberley Process participants to agree on these outstanding issues with a view to implementing the scheme by the end of 2002.

The draft resolution contained in General Assembly document A/56/L.72 is procedural in nature. It does not contain provisions that have financial implications. This draft resolution welcomes the detailed proposals for an international certification scheme for rough diamonds developed in the Kimberley Process, which provide a good basis for the envisaged international diamonds control mechanism. The draft resolution recognizes that the proposed international certification scheme could help ensure effective implementation of the relevant Security Council resolutions containing sanctions on trade in conflict diamonds. It also encourages the Kimberley Process to resolve outstanding issues, such as World Trade Organization compatibility and definition of participants. Importantly, it encourages all States involved in the diamond trade to participate in the proposed international certification scheme. In conclusion, the draft resolution requests the Kimberley Process to report to the General Assembly during its next session and also makes provisions for the General Assembly to keep this item on its agenda.

The Kimberley Process complements efforts to create and maintain peace and security. For this reason, my delegation would like to encourage unanimous proclamation of the draft resolution in support of the Kimberley Process's efforts reflected therein.

Mr. Siv (United States of America): I am pleased to speak on this important issue, on which there has been a great deal of progress in the past year. The United States remains deeply concerned about the illicit trade in rough diamonds. Unfortunately, this illegal trade continues to threaten the very fabric of numerous communities by fuelling armed conflict. We remain committed to working jointly with leaders from the Governments of diamond-producing and -importing nations, legitimate private diamond enterprises and non-governmental organizations in fighting this problem.

In the past year, the Kimberley Process has made strong progress in getting an expanded number of Governments, the diamond industry and non-governmental organizations to work together towards developing proposals for an international certification scheme for rough diamonds. Only the widest possible participation in the proposed scheme will achieve the result we all seek: a reduction of conflict and human suffering.

Reaching consensus on the elements of the proposed international certification scheme has been a monumental accomplishment. It has required tremendous dedication on the part of all those involved. The seriousness of the conflict diamonds problem has given the expanded number of Kimberley Process participants the resolve to cooperate with each other and to work through their differences.

The draft resolution before us on the role of diamonds in fuelling conflict stands as testimony to the dedication of all Kimberley Process participants to working side by side in addressing this problem. However, our work is not yet done. Next week, a Kimberley plenary will be held in Ottawa, Canada, to resolve some remaining issues. Throughout this process, the support and encouragement of the United Nations has helped the Process garner growing international support. It is important that we continue to encourage all interested parties to become part of the proposed international certification scheme.

Now more than ever, following the terrorist attacks of 11 September, the international community must re-dedicate itself to addressing these global problems, which have led to armed conflict. We appreciate that the Kimberley Process has set for itself an ambitious deadline to put its proposed system into place by the end of the year.

We applaud South Africa's continued leadership in the Kimberley process, as well as in sponsoring today's General Assembly draft resolution. We urge all Member States to continue working to make the proposed international certification scheme a reality, thereby taking us one step closer to our mutual goal of promoting international peace and security.

Mr. Heinbecker (Canada): The Assembly meets today to signal its continuing deep concern about the role of the illicit trade in rough diamonds in fuelling armed conflict in many parts of Africa. It meets also both to recognize the progress achieved to date through the Kimberley Process in developing measures to curb the trade in conflict diamonds, and to encourage the Process to persevere and to conclude its deliberations as soon as possible. Our goal is nothing less than the full implementation of effective measures to eliminate

the role of diamonds as a driver of conflict, and there is important work yet to be done.

(*spoke in French*)

Like other countries represented in this Hall, Canada recognizes that the vast majority of rough diamonds produced in the world are from legitimate sources and represent a valuable resource for the economic and social development of many countries. At the same time, the small percentage of the trade represented by conflict diamonds continues to have a disproportionate and devastating impact on peace and human security, particularly in Angola, Sierra Leone and the Democratic Republic of Congo. The Assembly and the Security Council have played a key role in identifying and monitoring the trade in conflict diamonds and in sanctioning its violators.

While the devastation may be concentrated in a handful of countries, it must be recognized that resolving this problem is a global responsibility which demands a continuing commitment by all Member States, in cooperation with other important stakeholders. The commitment to solutions has been demonstrated not only by Governments, but also by the international diamond industry and by civil society organizations. Through the World Diamond Council, the diamond industry has over the past year further developed and refined its proposals for a system of voluntary self-regulation of the diamond trade, which would complement and reinforce the efforts of Governments. Civil society is of critical importance in this partnership, not only in generating ideas and raising public awareness, but also in galvanizing the political will necessary to deal with this problem.

(*spoke in English*)

Since the adoption by the Assembly last December of resolution 55/56, the Kimberley Process has made significant progress in developing detailed proposals for an international certification scheme for rough diamonds. Given the complexity of the challenge, the importance of this achievement should not be minimized. However, while we are close to reaching our goal, we are not there yet. At its ministerial meeting in November, the Kimberley Process agreed that the proposals developed provide a good basis for the envisaged certification scheme. There are, however, some significant points left to be resolved, including issues related to verification, administrative support and the collection, accessibility and comparability of statistics. It is our hope that the next meeting of the Kimberley Process, to take place in Ottawa, will make substantial progress on all those concerns.

It is important that the Assembly reaffirm its support for the efforts of the Kimberley Process to finalize its proposals and to move quickly towards full implementation of the necessary measures. The Process must move from deliberations to action at the earliest possibility to address the urgent humanitarian situation in affected countries and to ensure that the legitimate diamond trade, which makes a critical contribution to the economies of so many countries worldwide, especially in Africa, is not endangered in the process.

We are pleased to join those others in the Assembly in sponsoring this draft resolution (A/56/L.72). We reiterate our commitment to cooperation with others in order to overcome this problem. Concerning the future, we remain convinced that the Kimberley Process must address itself to the search for solutions that are at once efficacious, pragmatic, credible and inclusive, and must remain directly engaged in this course of action.

Such solutions must be effective because those involved in profiting from and perpetuating armed conflict must be brought to account and because the actions of a criminal minority must not be allowed to undermine an important and legitimate industry.

They must be pragmatic because the progress of the Kimberley Process and the effectiveness and efficiency of the proposed certification scheme will be enhanced over time where and when it is possible to build upon existing national systems and experiences and to meet the international minimum standards identified as necessary for keeping conflict diamonds out of legitimate markets.

They must be credible because the success of the proposed certification scheme will depend both on the confidence that participants and other stakeholders have in its effective implementation and on its contribution to the confidence of consumers that the diamonds they purchase are from legitimate sources.

And they must be inclusive because the effectiveness of the certification scheme will depend on the involvement of all key participants and stakeholders in the international trade in rough diamonds. It is of key importance that maximum

participation in the certification scheme be encouraged and facilitated, and that gaps through which conflict diamonds might otherwise flow be closed.

In conclusion, I take this opportunity to express Canada's gratitude to the Government of South Africa for its far-sighted, steadfast and continuing leadership of the Kimberley Process. Canada is pleased to be working with South Africa and others in the preparations for the next meeting, to be held in Ottawa next week. There we aim to achieve further decisive progress on the implementation of the certification scheme. Bearing in mind the importance of our efforts to the protection of people whose lives have been devastated by the trade in conflict diamonds, we strongly encourage the full endorsement by the General Assembly of the draft resolution before us today.

Mr. Akiba (Japan): Let me say at the outset that the Government of Japan welcomes draft resolution A/56/L.72, which was just introduced by His Excellency Ambassador Kumalo of South Africa. Indeed, the draft resolution reflects the progress achieved in the Kimberley Process during the past year. My Government would like to express its sincere appreciation to the South African secretariat for its work in facilitating that progress. We also pay tribute to those Governments that have hosted meetings of the Kimberley Process in the course of the past year, namely the Governments of Angola, Belgium, Botswana, Namibia, the Russian Federation and the United Kingdom.

Since it started with the Technical Forum on Diamonds held in Kimberley, South Africa, under that country's chairmanship in May 2000, and in accordance with General Assembly resolution 55/56, the Kimberley Process has enjoyed ever greater participation. Japan has been participating actively in the discussions since joining the Process at its meeting in Namibia in February 2001. The Kimberley Process involves not only representatives of Governments, but also representatives of regional economic integration organizations and other relevant international organizations, the diamond industry and civil society. At successive meetings of the Process, participants have focused their discussion on the essential elements of an international scheme of certification for rough diamonds with a view to breaking the link between armed conflict and the trade in rough diamonds.

Conflict diamonds are also identified in the G-8 Miyazaki Initiatives for Conflict Prevention as one of the major issues which must be tackled by the international community. Although Japan is not a major rough-diamond-trading country, my Government has been participating actively in the Kimberley Process discussions, believing them to be an effective means of conflict prevention.

The document entitled "Essential elements of an international scheme of certification for rough diamonds, with a view to breaking the link between armed conflict and the trade in rough diamonds" was adopted by consensus at the ministerial meeting in Botswana last November. Several parts of the document, however, need further consideration. The international scheme was negotiated taking into account the elements described in General Assembly resolution 55/56, to which I referred earlier. These include the recommendations that the envisaged scheme should be effective and pragmatic, should be consistent with international law, should not impede the current legitimate trade in diamonds, should be based primarily on national certification schemes and should secure the widest possible participation.

My Government would like to stress in particular that, in order to ensure the effectiveness of such an international scheme, the scheme should, first, enjoy the widest possible participation, and secondly, be in conformity with international law and not impede the legitimate trade in rough diamonds. My delegation earnestly hopes that the importance of these two points will be recognized at this session of the General Assembly and will be properly reflected in the draft resolution to be adopted. At the same time, my Government would like to call upon those that have not yet joined the Kimberley Process to do so as soon as possible.

The Government of Canada will host, in Ottawa, the next Kimberley Process meeting. My Government would like to thank the Government of Canada in advance for hosting the meeting, which, I am sure, will advance the Process another step. Given the momentum generated at this General Assembly session, we look forward to a constructive discussion in Ottawa and hope that it will lead to the early launch of the envisaged international certification scheme.

Mr. Arias (Spain) (*spoke in Spanish*): I have the honour to speak on behalf of the European Union on

agenda item 37, on the role of diamonds in fuelling conflict. Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Romania, Slovakia, Slovenia and Turkey align themselves with this statement.

The trade in conflict diamonds is a matter of serious concern for the international community because of its direct links to armed conflict, the subversive activities of rebel movements and the proliferation of armaments. The illegal exploitation of and trade in natural resources — diamonds in particular — constitutes a serious threat to stability and security.

The European Union believes that the fight against trafficking in conflict diamonds is essential to attempts to resolve current conflicts and is a key component in preventing the emergence or recurrence of conflict. Halting the flow of conflict diamonds into legitimate trade will make a substantial contribution to peace and development and will enable legitimate business activities to continue in both developing and developed countries.

Among the attempts made so far to find effective ways of dealing with the trade in diamonds, we would like to refer to the efforts being made by two key players. First, both the Security Council and the General Assembly have taken action on this matter, and the European Union welcomes the initiatives and measures taken by both bodies.

Secondly, active work has been undertaken within the Kimberley Process to develop proposals for the envisaged international certification scheme. Representatives of the diamond industry and of civil society have been closely involved in this work. Since the adoption of resolution 55/56, additional States have joined the Process, which is thus now known as the expanded Kimberley Process. Since December 2000, meetings have been held in Windhoek, Brussels, Moscow, Twickenham and Gaborone. The European Union welcomes the steady progress made at those meetings and, in particular, working document 9/2001, as amended, dated 29 November 2001, entitled "Essential elements of an international scheme of certification for rough diamonds, with a view to breaking the link between armed conflict and the trade in rough diamonds".

The Union believes that the work done by the United Nations and that of the Kimberley Process are complementary, since the finalization of the international certification scheme for rough diamonds would be very important in ensuring the effective implementation of relevant Security Council resolutions. The European Union encourages the expeditious finalization of the international certification scheme and expects further progress to be made in that direction during the next meeting of the Kimberley Process, to be held in Ottawa, in order to meet the implementation deadline set in Gaborone.

The European Union fully supports draft resolution A/56/L.72, introduced by South Africa for adoption by the General Assembly, and believes that it would represent an important step in United Nations involvement in this matter. The Union intends to continue to play an active and constructive role on this issue. We encourage the widest possible participation in the international certification scheme, including by all States Members of the United Nations that trade in diamonds, as that is of the greatest importance for the successful implementation of the scheme.

Mr. De Ruyt (Belgium) (*spoke in French*): Belgium fully endorses the statement just made by the Spanish delegation on behalf of the European Union. Nevertheless, I wanted to speak today, given the importance of the diamond trade for my country and our active participation in the Kimberley Process since its inception.

I would first of all very much like to thank South Africa for its effective chairmanship of the Kimberley Process and for its conduct of the negotiations on the draft resolution (A/56/L.72) that is the object of our discussions today. The result of those negotiations perfectly meets our desires, and we are therefore proud to be one of the sponsors of the draft resolution.

The link between the illicit exploitation of natural resources and the continuation of conflict, with its devastating effects, has already been illustrated on many occasions, and I shall not discuss it here. Suffice it to say that the current environment should prompt us to combat this traffic more than ever, as such traffic could also allow terrorist networks to raise funds.

Much progress has been made since the last session of the General Assembly. Participation in the Kimberley Process has been expanded; six plenary sessions have been held; and detailed proposals been formulated that provide a good basis for an international certification scheme for rough diamonds. If we are close to a global agreement it is thanks to the indefatigable efforts of the participants in the

Kimberley Process. I want to thank them for their courageous and coordinated action. Mention should also be made of the constructive participation of non-governmental organizations and of the industry. It is now important for the international community to continue to support the Process and proceed as soon as possible to finalizing the international certification scheme. We are convinced that the draft resolution introduced by the delegation of South Africa will contribute to that goal.

The success of the envisaged certification scheme will depend on its comprehensive and universal application. All the parties involved, and in particular all the diamond markets, will have to apply the international certification scheme. If not, the system will be ineffective and will not respond adequately to the problem of conflict diamonds. I emphasize this point because the purpose of the Kimberley Process is to guarantee a diamond trade that is not blemished by conflict diamonds. There can be no exceptions to such a guarantee.

I would also like to recall the steadfast position of Belgium in favour of transparency in the diamond trade. In particular, that transparency has to be based on reliable and comparable statistics. We are pleased that paragraph 7 of the draft resolution endorses that principle.

I wish to conclude my statement by expressing the hope that we will be able to endorse the international certification scheme during the next session of the General Assembly.

Mr. Mmualefe (Botswana): The Republic of Botswana, as a co-convener of the Kimberley Process, welcomes this debate on a matter of crucial importance to my country and to Africa. The issue of conflict diamonds has tarnished the image of Africa. It has tarnished the public perception of a resource that should be a resource of sustenance and development for diamond-producing countries.

We have been actively involved in the work of the Kimberley Process since its inception, and we had the honour to host the most recent plenary meetings of the Kimberley group, including the ministerial meeting that was held on 29 November 2001. At that meeting the ministers adopted the Kimberley Process working document entitled "Essential elements of an international scheme of certification for rough diamonds, with a view to breaking the link between armed conflict and the trade in rough diamonds", which is before the General Assembly today (see A/56/775, annex VIII), and which we fully support.

My country's determined involvement in the Process is driven by two dominant considerations. First, as an African nation we feel the pain associated with the bitter conflicts that have been waged on African soil. We are determined to contribute in whatever way we can to the de-escalation and resolution of those conflicts. Secondly, as the world's leading supplier of rough gem diamonds, we have a far greater degree of economic dependence on the diamond industry than any other State Member of the United Nations. The diamond industry directly contributes one third of our gross domestic product, more than half of all revenues to our State treasury and over 80 per cent of national export earnings.

For those of us whose economies and democratic governance structures are sustained by the resources that flow from diamond mining and diamond processing, the success of the Kimberley Process is a matter of life and death. Equally, for those countries that have fallen victim to the murderous activities of rebel groups and their illegal trading in diamonds, the success of the Kimberley Process is also a matter of life and death. As we have all recognized, the trade in conflict diamonds does not in any way benefit the people or the economies of those countries. Rather, it sustains the greed and selfishness of the rebels and their collusive buyers in the diamond industry. Every week that goes by without concrete action to deal with the issue of conflict diamonds on a global basis represents more lives lost in civil conflicts and the further dissemination of negative sentiment about the role of diamonds in sustaining those conflicts.

During 2001, we have already experienced a severe decline in the diamond trade. That is despite international efforts to effectively address the issue of conflict diamonds. The decline has a major impact on Botswana's economic and social development plans. We therefore cannot remain indifferent or silent while those conflicts cause greater harm to the diamond trade.

The draft resolution currently before the General Assembly incorporates the belief that

> "the opportunity for conflict diamonds to play a role in fuelling armed conflict can be substantially reduced by introducing an international certification scheme for rough diamonds and that such a scheme would help protect legitimate trade and ensure the effective

implementation of the relevant resolutions of the Security Council containing sanctions on trade in conflict diamonds". (*A/56/L.72, ninth preambular paragraph*)

We therefore urge the General Assembly to adopt this draft resolution. We urge those Member States whose ministers were present or represented at the Gaborone meeting of the Kimberley Process to draw confidence from the unanimous endorsement of the Kimberley proposals that was expressed at that meeting. We urge participants in the Kimberley Process to move swiftly to final agreement on all outstanding points, including the critical matter of establishing a credible international monitoring structure for the proposed certification scheme. And we urge the international community to insist on urgent action so as to minimize further loss of life and further economic damage.

Above all, we urge all parties to show the same urgency that has been shown in recent months regarding the war against terrorism. This, too, is part of the war against terrorism, in which the victims are innocent parties. The fact that the majority of victims are also among the poorer populations of the world should make it more, not less, urgent to address the problem in a more meaningful way. Lest we forget, it is imperative that the international community redouble its efforts to bring about peace and national reconciliation to these countries, for without peace, the success of the Kimberley process is in jeopardy.

The President: Before proceeding to take action on the draft resolution, I should like to announce that, since the introduction of the draft resolution, the following countries have become sponsors of draft resolution A/56/L.72: Colombia and Hungary.

The Assembly will now take a decision on draft resolution A/56/L.72, entitled "The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts".

May I take it that the Assembly decides to adopt draft resolution A/56/L.72?

Draft resolution A/56/L.72 was adopted (resolution 56/263).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 37?

It was so decided.

Agenda item 24

Review of the problem of human immunodeficiency virus/acquired immunodeficiency syndrome in all its aspects

Draft resolution (A/56/L.73)

The President: The Assembly will now take a decision on draft resolution A/56/L.73.

May I take it that the Assembly decides to adopt draft resolution A/56/L.73?

Draft resolution A/56/L.73 was adopted (resolution 56/264).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 24?

It was so decided.

Programme of work

The President: Before adjourning this morning's meeting, I should like to inform members that consultations relating to the timing of the meeting of the General Assembly devoted to information and communication technologies for development, under agenda item 12, are concluded.

As members will recall, in resolution 56/258 of 31 January 2002, the General Assembly decided to convene a meeting of the General Assembly consisting of three plenary meetings devoted to bridging the digital divide and promoting digital opportunities in the emerging information society. Accordingly, it has been agreed that the three plenary meetings of the General Assembly will be held on Monday and Tuesday, 17 and 18 June 2002.

Members will also recall that, by resolution 56/258, the General Assembly also decided that, in parallel to the plenary meetings, separate informal panels would be organized.

As the Assembly is aware, preparations for the plenary meetings and panels are continuing in a transparent way under the chairmanship of the facilitator, Mr. Alexandru Niculescu, Permanent Representative of Romania to the United Nations.

The meeting rose at 11.10 a.m.